REMARKS

Status of the Claims

In the February 22, 2008 Office Action, the Examiner noted that claims 1-14 were pending in the application. Claims 1, 7-9 and 12 and 13 have been amended herein. Thus, claims 1-14 are pending for consideration, which is respectfully traversed. Support for the amendments can be found, for example, on page 10, lines 13-14 and page 10, lines 21-25 of the Specification as filed. No new matter has been added.

Information Disclosure Statement

Applicants have filed an Information Disclosure Statement (IDS) herewith. Applicants respectfully request that the Examiner return a copy of Form PTO-1449 and Attachment 1(g) accompanying the IDS signed and initialed to indicate that the documents listed therein have been considered by the Office.

Rejection under 35 U.S.C. § 103(a)

On page 2, item 3, the Office Action rejected claims 1-4, 6-9, 11-14 under 35 U.S.C. § 103(a) as being unpatentable over Yoshiura et al., (U.S. 6,131,162) in view of Hirai (U.S. 2002/00833324 A1). This rejection is respectfully traversed.

Applicants submit that Yoshiura and Hirai, taken alone or in combination, fail to describe:

> a first apparatus which takes, an image data... and sending the image data to second apparatus with destination information of a destination apparatus... the second apparatus which... effects data processing on said received image data to acquire an embedded stegano data that cannot be recognized visually... [and] sending the acquired stegano data... to the first apparatus

as recited by lines 2-12 of claim 1.

Yoshiura relates to a method for embedding a digital signature onto a mark on a web page. For example, Yoshiura at column 32, lines 1-10 recites:

> the mark management server modifies the Web page data, sent with a mark-send request, so that the mark in which a digital watermark is embedded may be displayed in the Web page. The server then sends the modified Web page data to the mark acquisition program running on the vendor terminal.... That is, **the mark management server sends a mark, in which a digital watermark is embedded, to the vendor terminal**. The vendor terminal modifies the original of the Web page data sent with the mark-send request so that the mark in which the digital watermark is embedded is displayed in the Web page.

(emphasis added). In other words, Yoshiura discusses a server embedding a watermark and sending it to a terminal, but is silent on retrieving stegano data among two apparatuses. In addition, merely embedding content with a watermark, does not describe "image data... **with destination information of a destination apparatus** that receives a result of data processing" as recited by lines 4-5 of claim 1.

Hirai relates to a method of transmitting a digital watermark over a first and second transmission channel. Hirai paragraph 61, however, recites:

> According to a further aspect of the present invention, there is provided a storage medium for physically storing a computer-readable software program which executes processing concerning embedding of a digital watermark into a content on a computer system. The computer-readable software program includes **embedding the digital watermark into the content and removing the digital watermark from the content**. The embedding step includes generating the digital watermark; embedding the digital watermark into the content; transmitting the content provided with the embedded digital watermark; and transmitting the digital watermark or information for reconstructing the digital watermark. The removing step includes acquiring the content provided with the embedded digital watermark; acquiring the digital watermark or the information for reconstructing the digital watermark; and **removing the digital watermark from the content by using the acquired digital watermark or the acquired information for reconstructing the digital watermark**.

(emphasis added). In other words, Hirai discusses embedding content with a digital watermark and then removing the digital water mark, but not among two apparatuses. Again, merely embedding and removing content with a watermark, does not describe "image data... **with destination information of a destination apparatus** that receives a result of data processing" as recited by lines 4-5 of claim 1.

Therefore, Applicants respectfully submit that a *prima facie* case of obviousness cannot be based upon Yoshiura and Hirai, because Yoshiura and Hirai merely discuss conventional methods of embedded encrypted data, watermarking and removal of watermarking, and thus, the cited art fails to at least describe:

> a first apparatus which takes, an image data... and sending the image data to second apparatus with destination information of a destination apparatus... the second apparatus which... effects data processing on said received image data to acquire an embedded stegano data that cannot be recognized visually... [and] sending the acquired stegano data... to the first apparatus

as recited by amended claim 1.

Accordingly, Applicants respectfully submit that claim 1 patentably distinguishes over the cited art.

Independent claim 7 recites:

> sending the entered image data to a second apparatus with a destination information... effecting data processing on the image data received from the first apparatus to acquire an embedded stegano data... sending the result of the data processing to the image data to the destination (lines 7-14).

Therefore, claim 7 patentably distinguishes over the cited art.

Independent claim 12 recites:

> a data sending unit which sends the entered image data to a second apparatus with sender information... a data sending unit which sends the image data entered to the second apparatus with destination information of the first apparatus... to acquire an embedded stegano data... [and] a result receiving unit which receives the result of the data processing to the image data taken from the second apparatus (lines 5-12).

Therefore, claim 12 patentably distinguishes over the cited art.

Independent claim 13 recites "taking image data with a first device... sending the image data taken to a second device [and] receiving data embedded in the image data as a steganography in reply to sending the data to the second device (lines 2-6). Therefore, claim 13 patentably distinguishes over the cited art.

Independent claim 14 recites "transmitting, from a portable electronic device, image data of an image embedded with stegano data to a server; and receiving, from the server, the embedded stegano data." Therefore, claim 14 patentably distinguishes over the cited art.

Dependent claims 2-4, 6, 8, 9 and 11 inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least the reasons discussed above, in addition to the additional features recited therein.

On page 7, item 4, the Office Action rejected claims 5 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Yoshiura et al., (U.S. 6,131,162) and Hirai (U.S. 2002/00833324 A1) as applied to claims 1, 7 and further in view of Stach et al. (U.S. 7,068,809 B2). This rejection is respectfully traversed.

Applicants submit that Stach fails to cure the deficiencies of Yoshiura and Hirai discussed above. Accordingly, claims 5 and 10 inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least the reasons discussed above, in addition to the additional features recited therein.

In view of the above, Applicants respectfully request the rejections be withdrawn.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 6-23-08

By: _____
John C. Garvey
Registration No. 28,607

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501